

रजिस्टर्ड नं० एल०-33-एस० एम० 13-14/97-



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 3 अक्टूबर, 1997/11 आश्विन, 1919

हिमाचल प्रदेश सरकार

आबकारी एवं कराधान विभाग

अधिसूचना

शिमला, 26 सितम्बर, 1997

संख्या 7-44/79-ई० एक्स० एन०-21020-72.—प्रथम नवम्बर, 1966 से ठीक पूर्व हिमाचल प्रदेश में समाविष्ट क्षेत्रों में तथा पंजाब पुनर्गठन अधिनियम, 1966 (1966 का 31) की धारा 5 के अधीन हिमाचल प्रदेश में जोड़े गए क्षेत्रों में यथा प्रवृत्त पंजाब आबकारी अधिनियम, 1914 (1914 का 1) की धारा 59 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, तथा उक्त अधिनियम की धारा 9 के अधीन और इसके साथ पठित हिमाचल प्रदेश "(एक्सार्डिज पावर्ज एण्ड अपील) आर्डरज, 1965 द्वारा मुझ में निहित वित्तायुक्त की शक्तियों का प्रयोग करते हुए, मैं, भीम सेन, आबकारी तथा कराधान आयुक्त, हिमाचल प्रदेश, एतद्द्वारा हिमाचल प्रदेश लीकर

लाईसेंस रूलज, 1986 (जिन्हें यहां उसके पश्चात् 'उक्त रूलज' कहा गया है) में तत्काल से निम्नलिखित संशोधन करता हूँ—

संशोधन

1. In rule 1 of the said rules,—

(a) after entry L—1-AA but before the entry L—2 mentioned in the table, the following new entry L—1-B shall be inserted, namely :—

Form	Nature	Mode of grant	Authority empowered to	
			Grant	Renew
1	2	3	4	5
L—1-B	Wholesale vend of Foreign liquor to L—1 vends only.	Fixed fee	Financial Commissioner.	Financial Commissioner.

2. In rule 15 of the said rules, for the letters, signs and figures "L—1, and L—1-AA" wherever these occur, the words, letters, signs and figures "L—1, L—1-AA and L—1-B" shall be substituted.

3. After rule 18-A of the said rules, the following new rule 18-B shall be inserted, namely :—

"18-B. Any distillery, brewery, winery or bonded warehouse licenced outside Himachal Pradesh may either itself or through an agent duly authorised by the licensee of such distillery, brewery, winery or bonded warehouse, may, subject to the conditions specified by the Financial Commissioner, be granted a licence in form L—1-B for storage and sale of the brands of liquor manufactured by it :

Provided that the Financial Commissioner may, subject to the applicant being otherwise eligible to hold the licence, allow any existing licence in form L—1, held by such distillery, brewery, winery or bonded warehouse or such agent for the year 1997-98, to be converted into a licence in form L—1-B, by treating the payment of Rs. 1,75,000/- made in respect of the licence in form L—1 to be a payment for licence in form L—1-B and the licence in form L—1 so converted shall cease to be operative."

4. In sub-rules (a) and (b) of rule 27 of the said rules, after the letter, signs and figure "L—1-AA", the letter, signs and figure "L—1-B" shall be inserted.

5. In rule 38 of the said rules, after sub-rule (1-AA), the following sub-rule (L—1-B) shall be inserted, namely :—

"(L—1-B). A licence in form L—1-B for the wholesale vend of foreign liquor to L—1 vends only : —

(a) The licensee shall function as a stockist in respect of the brands of liquor manufactured by his distillery, brewery, winery or bonded warehouse subject to payment of a further licence fee of Re. 0.25 per proof litre of Foreign Liquor excluding beer, cidar and wine :

Provided that this fee on beer, cider and wine shall be payable at the rate of Re. 0.25 per bulk litre ;

- (b) the licensee shall sell foreign liquor by wholesale to the persons holding L-1 licences (other than the L-1 licence held by a distillery, brewery or bonded warehouse in Himachal Pradesh) and he shall sell foreign liquor only in sealed and capsuled bottles or sealed containers, as the case may be ;
- (c) the licensee shall not sell any brand of liquor (including foreign brands of liquor) unless such brands has been registered with the Financial Commissioner, on payment of Rs. 5000/- per brand in case of all liquor excluding wine and cider and in case of wine and cider on payment of Rs. 100/- and has been allotted a registered number for such brand ; and
- (d) No pass for sale of unregistered brands of liquor shall be issued."

6. In the schedule 'A' appended to the said rules, after sub-item (b) of item 2, the following new sub-item (c) shall be inserted, namely :—

"(c) L-1-B for the wholesale vend Rs. 1,75,000/- of foreign liquor to L-1 only."

हस्ताक्षरित/-

आवकारी एवं कराधान आयुक्त।

[Authoritative English text of Excise and Taxation Department, Himachal Pradesh notification No. 7-44/79-EXN-21020-72, dated the 26th September, 1997 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Shimla, the 26th September, 1997

No. 7-44/79-EXN-21020-72.—In exercise of the powers conferred by Section 59 of the Punjab Excise Act, 1914 (1 of 1914) as in force in the areas comprised in Himachal Pradesh, immediately before 1st November, 1996, and the territories transferred to Himachal Pradesh, under Section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966) and by virtue of the powers of the Financial Commissioner, conferred on me under Section 9 of the said act, read with Himachal Pradesh (Excise Powers and Appeal) Orders, 1965, I, Bhim Sen, Excise and Taxation Commissioner, Himachal Pradesh hereby order the following further amendments in the Himachal Pradesh Liquor License Rules, 1986, as amended from time to time (hereinafter called the 'said rules') with immediate effect:—

AMENDMENTS

1. In rule 1 of the said rules,—

- (a) after entry L-1-AA but before the entry L-2 mentioned in the table, the following new entry L-1-B shall be inserted, namely:—

Form	Nature	Mode of grant	Authority empowered to	
			Grant	Renew
1	2	3	4	5
L-1-B	Wholesale vend of Foreign liquor to L-1 vends only.	Fixed fee	Financial Commissioner.	Financial Commissioner.

2. In rule 15 of the said rules, for the letters, signs and figures "L—1, and L—1-AA" wherever these occur, the words, letters, signs and figures "L—1, L—1-AA and L—1-B" shall be substituted.

3. After rule 18-A of the said rules, the following new rule 18-B shall be inserted, namely: —

"18-B. Any distillery, brewery, winery or bonded warehouse licenced outside Himachal Pradesh may either itself or through an agent duly authorised by the licensee of such distillery, brewery, winery or bonded warehouse, may subject to the conditions specified by the Financial Commissioner, be granted a licence in form L—1-B for storage and sale of the brands of liquor manufactured by it:

Provided that the Financial Commissioner may, subject to the applicant being otherwise eligible to hold the license, allow any existing licence in form L—1, held by such distillery, brewery, winery or bonded warehouse or such agent for the year 1997-98, to be converted into a licence in form L—1-B, by treating the payment of Rs. 1,75,000/- made in respect of the licence in form L—1 to be a payment for licence in form L—1-B and the licence in form L—1 so converted shall cease to be operative."

4. In sub-rules (a) and (b) of rule 27 of the said rules, after the letter, signs and figure "L—1-AA", the letter, signs and figure "L—1-B" shall be inserted, namely: —

5. In rule 38 of the said rules, after sub-rule (1-AA), the following sub-rule (L—1-B) shall be inserted, namely: —

"(L—1-B) A licence in form L—1-B for the wholesale vend of foreign liquor to L—1 vends only: —

(a) The licensee shall function as a stockist in respect of the brands of liquor manufactured by his distillery, brewery, winery or bonded warehouse subject to payment of a further licence fee of Re. 0.25 per proof litre of Foreign Liquor excluding beer, cidar and wine;

Provided that this fee on beer, cidar and wine shall be payable at the rate of Re. 0.25 per bulk litre;

(b) the licensee shall sell foreign liquor by wholesale to the persons holding L—1 Licences (other than the L—1 licence held by a distillery, brewery or bonded warehouse in Himachal Pradesh) and he shall sell foreign liquor only in sealed and capsuled bottles or sealed containers, as the case may be;

(c) the licensee shall not sell any brand of liquor (including foreign brands of liquor) unless such brand has been registered with the Financial Commissioner, on payment of Rs. 5000/- per brand in case of all liquor excluding wine and cidar and in case of wine and cidar on payment of Rs. 100/- and has been allotted a registered number for such brand; and

(d) No pass for sale of unregistered brands of liquor shall be issued."

6. In the Schedule 'A' appended to the said rules, after sub-item (b) of item 2, the following new sub-item (c) shall be inserted, namely: —

"(c) L—1-B for the wholesale vend Rs. 1,75,000/- of foreign liquor to L—1 only."

Sd/-

Excise and Taxation Commissioner.